

MINUTES OF THE LAFAYETTE COMMON COUNCIL  
October 5, 2009  
REGULAR MEETING

The Common Council of the City of Lafayette, Indiana met in regular session on Monday October 5, 2009 at 7:00 p.m. in the City Hall Council Chambers, 20 North 6<sup>th</sup> Street, Lafayette, Indiana.

President Steve Meyer called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

President Meyer announced the passing of Phillip Kelley a former member of the City Council and asked all to remember his family in their thoughts and prayers. President Meyer also requested the City Clerk send a letter of condolence to Mr. Kelley's family.

The following members were present:

Present: Heide, Klinker, Campbell, Cornstuble, Brown, Novak, Weast-Williamson, Downing and Meyer.

The City Clerk stated that there was a quorum present.

City Clerk Cindy Murray and City Attorney Ed Chosnek were present.

Councilman Campbell moved to recess for a public hearing Ordinance 2009-20 (An Amended Ordinance Amending Section 8.08.140 and Enacting a New Article, Sections 8.08.800-.890, of the City of Lafayette Municipal Code Providing for a Storm water Service Charge in the City of Lafayette, Indiana) Councilman Cornstuble seconded. The motion passed by unanimous voice vote. President Meyer asked for Public Comment.

The following citizens spoke regarding Ordinance 2009-20.

Joe Bell, Pastor Calvary Baptist Church, 211 E. State Street

Pearl Speakman, 923 So. 22<sup>nd</sup> Street

John Basham, 3015 Old Romney Road/1450 W 500 S

Wick Dixon, 3204 Elmwood Ave

Ed Boes, 2304 Natalie Lane

Perry Barbee, 1714 Union Street

Gary Wolfelt, 812 Main Street

Dan Taylor, 817 N.12<sup>th</sup> Trinity Mission Director

Terry Masterson, 1115 Central Ave

Tara Nelson, 3222 Norwegian Dr

Earl Stanton, 1013 Elizabeth Street

Councilman Campbell moved to reconvene the regular meeting at 7:35 pm Councilman Brown seconded. The motion passed by unanimous voice vote.

Councilman Campbell moved to approve the minutes from the September 14, 2009 regular council meeting and the September 23, 2009 Special Meeting. Councilwoman Weast-Williamson seconded. The motion passed by unanimous voice vote.

The Clerk stated that there were no Claims, Petitions or Communications.

The Clerk stated the following reports are available in the City Clerk's Office:

Police Department Monthly-August 2009

Water Works Department Monthly-August 2009

Water Pollution Control Department Monthly-August 2009

### **Ordinances for Second Reading:**

The Clerk read Ordinance 2009-19 (An Ordinance of the Common Council of the City of Lafayette, Indiana Authorizing the Mayor and/or Controller of the City of Lafayette, Indiana, to make Temporary Loans to Meet Current Operating Expenses of Various Funds of the City in Anticipation of and not Excess of Current Taxes Levied in the Year 2009, and Collectable in the Year 2009, Authorizing the Issuance of Temporary Loan Warrants to Evidence Such Loans and the Sale of Such Warrant and Appropriating and Pledging the Taxes to be Received in Such Funds to the Payment of Such Warrants including there Interest Thereon) by title only on second and final reading. Councilman Heide moved for passage, Councilwoman Novak seconded. Ordinance 2009-19 passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 2009-20 (An Amended Ordinance Amending Section 8.08.140 and Enacting a New Article, Sections 8.08.800-.890, of the City of Lafayette Municipal Code Providing for a Storm water Service Charge in the City of Lafayette, Indiana) by title only on second and final reading. Councilman Campbell moved for passage, Councilman Cornstuble seconded. Councilman Campbell moved to amend with the addition of delaying the start date for implementation to July 2010 and with the collection starting in December 2010, Councilwoman Novak seconded. Discussion by Council ensued. Public Comment was heard from the following citizens: Perry Barbee, Dan Taylor, John Basham, Pearl Speakman, Gary Wolfelt and Terry Masterson( addresses are reflected previously) The amendment failed 2-6 on a roll call vote as follows.

Ayes: Heide and Klinker

Nays: Cornstuble, Campbell, Brown, Novak, Weast Williamson and Downing

Councilman Campbell moved to amend Ordinance 2009-20 with the following rate changes, monthly rate per ERU to be \$4.00 (four dollars) per month for the year 2010, monthly rate per ERU to be \$5.00 (five dollars) per month for 2011 and monthly rate per ERU to be \$6.00 (six dollars) per month for each year following until 2023 with a sunset clause, Councilman Heide seconded. Discussion by Council ensued. Public Comment was heard from the following citizens, Perry Barbee, John Basham, Ed Boes, and Terry Masterson. Councilman Campbell withdrew the motion to amend, Councilman Heide removed the second. Amendment removed. Councilman Campbell moved to amend Ordinance 2009-20 with the following rate changes, monthly rate per ERU to be \$4.00 (four dollars) per month for the year 2010, and monthly rate per ERU to be \$5.00 (five dollars) per month for 2011 and each year following until 2023 with a sunset clause, Councilwoman Novak seconded. Jenny Miller, City Engineer spoke regarding the effects on salaries if phased in. Mayor Roswarski explained projects would be delayed several

years. Discussion by Council ensued. Public Comment was heard from the following citizens, Perry Barbee, John Basham, Pearl Speakman, Terry Masterson and Wick Dixon. The Amendment passed 5-3 on a roll call vote as follows:

Ayes: Heide, Klinker, Cornstuble, Campbell and Novak

Nays: Brown, Weast-Williamson, and Downing

Councilman Campbell moved to amend Ordinance 2009-20 in its entirety with a Second Amended Ordinance which adds 8.08.860 – Alternate Storm water Service Charge for Qualifying Non-Residential Property and was filed in the City Clerk's Office on Monday October 5, 2009, Ed Chosnek, City Attorney also instructed council the second amended ordinance should include the above Amendment just voted on. Councilman Heide seconded. Discussion by Council ensued. Public Comment was heard from the following citizens, Pearl Speakman. Second Amended Ordinance 2009-20 with added Amendment passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 2009-21 (An Ordinance Fixing the Salaries of the Appointed Officers and Employees of the City of Lafayette Indiana, for the Year 2010, Excluding the Sworn Protective Occupation and Law Enforcement Members) by title only on second and final reading. Councilman Brown moved for passage, Councilwoman Weast-Williamson seconded. Mayor Roswarski informed Council the Salary Ordinance does not reflect any pay raises. Councilman Campbell moved to Amend Ordinance by replacing Exhibit A in its entirety, Councilman Klinker seconded. Amendment passed 8-0 on a roll call vote. Amended Ordinance 2009-21 passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 2009-22 (An Ordinance Fixing the Salaries of the Sworn Protective Occupation and Law Enforcement (POLE) Members of the Police and Fire Departments of the City of Lafayette, Indiana, for the Year 2010) by title only on second and final reading.

Councilwoman Weast-Williamson moved for passage, Councilman Downing seconded.

Ordinance 2009-22 passed 7-0-1 on a roll call vote on second and final reading as follows.

Ayes: Heide, Klinker, Cornstuble, Campbell, Brown, Novak and Downing

Nays: None

Abstained: Weast-Williamson

The Clerk read Ordinance 2009-23 (An Ordinance Fixing the Salaries of the Elected Officials of the City of Lafayette, Indiana, for the Year 2010) by title only on second and final reading.

Councilman Cornstuble moved for passage, Councilman Brown seconded. Public Comment was heard from the following citizens, Perry Barbee, Terry Masterson and Pearl Speakman.

Ordinance 2009-23 passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 2009-24 (2010 Budget Ordinance) by title only on second and final reading. Councilman Campbell moved for passage, Councilman Cornstuble seconded.

Councilman Campbell moved to Amend Ordinance 2009-24 in its entirety with new exhibit A filed October 5, 2009 in the City Clerks Office, Councilman Brown seconded. Mayor Roswarski spoke regarding changes made to reduce the budget. Public Comment was heard from the following citizen, Tara Nelson, 3222 Norwegian Dr. Amendment passed 8-0 on a roll call vote. Amended Ordinance 2009-24 passed 8-0 on a roll call vote on second and final reading.

**Ordinances for First Reading:**

The Clerk read Ordinance 2009-25 (An Ordinance to Amend Amended Ordinance 2008-24 An Ordinance Fixing the Salaries of the Appointed Officers and Employees of the City of Lafayette, Indiana, for the Year 2009, Excluding the Sworn Protective Occupation and Law Enforcement Members of the Police and Fire Departments) by title only on first reading. Councilman Brown moved for passage, Councilwoman Novak seconded. Mayor Roswarski explained this Amendment is to add a position that is being funded by a grant. Ordinance 2009-25 passed 8-0 on a roll call vote on first reading.

**Resolutions:**

The Clerk read Resolution 2009-14(A Resolution Ratifying the City of Lafayette's Application for Neighborhood Stabilization Program Funds and Authorizing the Execution of the Award Agreement) by title only on first and final reading. Councilwoman Novak moved for passage, Councilman Weast-Williamson seconded. Aimee Jacobsen, Community Development spoke regarding the Resolution. Resolution 2009-14 passed 8-0 on a roll call vote on first and final reading.

Reports of Standing Committees: None  
Reports of Special Committees: None  
Report by the Mayor: None  
Miscellaneous and New Business: None

Public Comment was heard from the following citizens, Pearl Speakman, Perry Barbee and Terry Masterson

Councilman Campbell moved to adjourn Councilwoman Novak seconded. Meeting adjourned at 9:08 pm

Minutes prepared by Cindy Murray, City Clerk

Complete audio of meeting available in the City Clerk's office or at [www.lafayette.in.gov](http://www.lafayette.in.gov)